

**REMARKS**

Reconsideration is requested.

The claims of the Preliminary Amendment dated December 19, 2005 have been renumbered by the Examiner. The renumbered claims are presented above, with the noted further revisions.

Claims 16-29 are pending.

The Section 112, second paragraph, rejection of claims 28 and 29 is believed to be obviated by the above amendments. Specifically, claim 28 describes the claimed device as containing the extract of claim 16. Withdrawal of the Section 112, second paragraph, rejection is requested.

The rejections of claims 16-27 under Section 102 or, in the alternative, under Section 103 as allegedly being anticipated or obvious over Chamlin (Journal of American Academy of Dermatology, 2002, Vol. 47, No. 2, pp 198-208), are traversed. Reconsideration and withdrawal of the rejections are requested in view of the following distinguishing comments.

Claim 16 defines a pharmaceutical composition comprising a lipid extract obtained by extraction from the mother of pearl from mother-of-pearl molluscs and further comprising a pharmaceutically acceptable support.

Chamlin et al. neither disclose nor suggest a pharmaceutical composition comprising a lipid extract derived from the mother of pearl of mother-of-pearl molluscs.

The Examiner is understood to believe that the lipids in the claimed composition are the same or similar to that of the cited art.

However, the applicants believe that a lipid extract obtained by extraction from the mother of pearl from mother-of-pearl molluscs has a lipid content which is specific of the lipid content of mother of pearl. This lipid content is both qualitatively and quantitatively specific.

For example, the lipid content of such a lipid extract obtained from mother of pearl is listed on page 7, line 25 to page 8, line 3 of the present specification. The lipid content indicated in the present application (pages 7-8) is representative of the total lipid content of the mother of pearl of *Pinctada margaritifera*. The extraction solvent used, a 2:1 chloroform/methanol mixture, is known to allow complete extraction of the lipids of a matrix. This lipid content is considerably different from the composition of Chamlin et al.

Furthermore, even if another lipid extraction method is implemented according to the invention, the lipid content of the lipid extract thus obtained will inevitably be different from the composition of Chamlin et al. The extraction is made from a particular substrate, the mother of pearl of a mother of pearl mollusc. Accordingly, the lipids extracted will be representative of the content in lipids of the substrate. It is not reasonably expected therefore that the only three specific lipids of the composition of Chamlin et al. will be present in the lipid extract. The Examiner is urged to appreciate in this regard that the composition of claim 16 includes a lipid extract, and not to a lipid composition where one would have added the exact lipids desired to make the composition. It is even more unexpected that these three lipids will be extracted in the exact relative proportions of the composition of Chamlin et al.

The lipid content of the lipid extract of the invention is not anticipated and would not have been obvious from the composition of Chamlin et al.

The composition of the invention comprises lipids which are not disclosed in Chamlin et al. For example, the extract indicated on pages 7-8 of the present application contains also cholesterol sulfate, triglycerides, cholesterol acetate, apolar lipids (which is the main component of the extract) and omega.

The composition of Chamlin et al. only comprises 2.1 % of ceramides, 0.8 % of free fatty acids and 0.8 % of cholesterol.

Furthermore, ceramides are the main component of the formulation of Chamlin et al.

Total ceramide represents only about 3 % of total lipid extracted from the mother of pearl as exemplified in the present application (page 7-8), apolar lipids representing the main component of the extract of the invention.

The ceramide enriched composition of Chamlin et al. is intended to be applied on skins of patients with dermatitis, as a selective deficiency in ceramide is observed in this pathology. It is thus important for Chamlin et al. that the applied composition is enriched in ceramides. There is no motivation in the cited art to have made the presently claimed invention.

The claimed compositions are patentable over the cited art and withdrawal of the Section 102 and Section 103 rejections of claims 16-27 is requested.

The claims are submitted to be in condition for allowance and a Notice to that effect is requested. The Examiner is requested to contact the undersigned in the event anything further is required in this regard.

LOPEZ et al.  
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Amendment

Respectfully submitted,

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